Committee Item No.	
Board Item No.	

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee:	Rules	Date <u>12/6/</u>	12
Board of Su	pervisors Meeting	Date	
Cmte Boa	ard		
	Motion Resolution Ordinance Legislative Digest Budget Analyst Report Legislative Analyst Report Youth Commission Report Introduction Form (for hear Department/Agency Cover MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Award Letter Application Public Correspondence		
OTHER OTHER	(Use back side if additional	space is needed)	
Completed Completed	by: Linda Wong by:	Date <u>12/3/12</u> Date	

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 2	[Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Marily Mondejar]
3	Motion confirming the Mayor's appointment of Marily Mondejar to the Commission on
4	Community Investment and Infrastructure, Seat 2, for the unexpired portion of a two-
5	year term ending November 3, 2014.
6	
7	WHEREAS, Ordinance No. 215-12 was adopted by the Board of Supervisors and
8	signed by Mayor Edwin Lee on October 4, 2012; and,
9	WHEREAS, Pursuant to Ordinance No. 215-12, the Mayor has submitted a
10	communication notifying the Board of Supervisors of the appointment of Marily Mondejar to
11	the San Francisco Commission on Community Investment and Infrastructure, received by the
12	Clerk of the Board on November 20, 2012; now, therefore, be it
13	MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of
14	Marily Mondejar to the San Francisco Commission on Community Investment and
15	Infrastructure, Seat 2, which must be a resident of the supervisorial district that includes the
16	second largest amount of cumulative area of the Major Approved Development Projects
17	(District 6), for the unexpired portion of a two-year term ending November 3, 2014.
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Office of the Mayor SAN FRANCISCO



EDWIN M. LEE Mayor

Notice of Appointment

November 20, 2012

San Francisco Board of Supervisors City Hall, Room 244 1 Carlton B. Goodlett Place San Francisco, California 94102

Honorable Board of Supervisors:

It is my pleasure to notify you of the following appointments to the Redevelopment Successor Commission (commonly known as Commission on Community Investment and Infrastructure), pursuant to Ordinanee No. 215-12:

Theodore Ellington to Seat 1, for a term of four years - CFile # 121141)

Marily Mondejar to Seat 2, for a term of two years _ C File # 12 1142

Christine Johnson to Seat 3, for a term of four years -(f./c # 12 1/43)

Mara Rosales to Seat 4, for a term of two years - (F; /c # 121144)

Darshan Singh to Seat 5, for a term of four years - (File # 121145)

I am confident that Mr. Ellington, Ms. Mondejar, Ms. Johnson, Ms. Rosales, and Mr. Singh, all CCSF electors, will serve our community well. Attached are their qualifications to serve, which demonstrates how these appointments represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to these appointments, please contact my Director of Appointments, Nicole Wheaton at (415) 554-7940.

Sincerely

Edwin M. Lee

Mayor

BOARD OF SUPERVISOR
SAN FRANCISCO
2012 NOV 20 PM 4: 18



November 20, 2012

Angela Calvillo Clerk of the Board, Board of Supervisors San Francisco City Hall 1 Carlton B. Goodlett Place San Francisco, CA 94102

Dear Ms. Calvillo,

It is my pleasure to notify you of the following appointments to the Redevelopment Successor Commission (commonly known as Commission on Community Investment and Infrastructure), pursuant to Ordinance No. 215-12:

Theodore Ellington to Seat 1, for a term of four years

Marily Mondejar to Seat 2, for a term of two years

Christine Johnson to Seat 3, for a term of four years

Mara Rosales to Seat 4, for a term of two years

Darshan Singh to Seat 5, for a term of four years

I am confident that Mr. Ellington, Ms. Mondejar, Ms. Johnson, Ms. Rosales, and Mr. Singh, all CCSF electors, will serve our community well. Attached are their qualifications to serve, which demonstrates how these appointments represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to these appointments, please contact my Director of Appointments, Nicole Wheaton at (415) 554-7940.

Sincerely.

Edwin M. Lee

Mayor

M M

MARILY MONDEJAR

88 Howard St. #1206 San Francisco, CA 94105 415 935 4396 marily88@gmail.com Twitter@FilipinaWomen Facebook.com/ FilipinaWomensNetwork

Marily Mondejar is the president of the Filipina Women's Network. She is a business leader with global experience as an entrepreneur, strategist and advisor to organizations. She was raised in an entrepreneurial family environment, which owned multiple business operations in publishing, security intelligence services and movie production. She began her career with the largest distributor of U.S. consumer goods in the Philippines and went on to become one of only two women in sales management for the Thailand distributor of Time Life Books Southeast Asia before immigrating to the U.S. and joining the Security Pacific National Bank as one of its officers and Lee Hecht Harrison as a career transition consultant and executive coach.

Her extensive work experience as a woman of color and being financially responsible for her young family steered her to start her own organization image development and career coaching practice. She advised executives on leadership and career derailment issues, and consulted on corporate image strategies, merger implications, scenario planning, and maximizing performance, through work with executive teams, and intercultural communications. Select clients included Cemex, Siebel (Oracle), and Webex (Cisco).

In 2009, she ended a notable 25-year business career to devote her time as the founding president of the Filipina Women's Network, the nonprofit professional association for women of Philippine ancestry living in the United States, an organization she grew from 50 members in 2002 to over 10,800 list members nationwide.

Marily is a community organizer, and an untiring advocate against domestic violence and trafficking of Filipina women. She is passionate about women's rights and works to ensure the representation of Filipina and Asian women's voices in the public and private sectors. Marily's civic engagement deepened in 2010 when she encouraged and supported Filipina candidates nationwide resulting in 13 winners from a pool of 18 candidates. Her grassroots experience, organizational skill sets, bi-cultural voice, and immigrant perspective are the building blocks for her public service.

San Francisco Mayor Ed Lee recently appointed Marily to the San Francisco Redistricting Task Force that redrew the boundaries for San Francisco's 11 supervisors' districts, laying the groundwork for the city's political future for the next decade. Marily serves (and has served) on nonprofit boards and commissions including, the Friends of the San Francisco Commission on the Status of Women, Leadership California, Sweatfree Procurement Advisory Group, the Justice and Courage Oversight Panel, the American Society for Training and Development, Filipino American Arts Exposition, and many others.

After raising two sons as a single mom, she returned to school and earned both bachelor's and master's degrees in organization development and leadership from New College of California and public relations graduate studies at Golden Gate University. She has completed doctoral course work in organizational psychology at Alliant International University.

Marily was recognized Local (S)Hero by KQED (2012) and received the API Heritage Award for Excellence in Civil Rights from the California API Joint Legislative Caucus (2010).

CALIFORNIA FORM 7 FAIR POLITICAL PRACTICES COMMISSION A PUBLIC DOCUMENT

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STATEMENT OF ECONOMIC INTERESTS

Date Received

COVER PAGE

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Schedule A-1 - Investments - schedule attached	Schedule C - Income Loar	ns, & Business Positions – schedule attache
Schedule A-2 - Investments - schedule attached	· —	
Schedule B - Real Property - schedule attached	Schedule E - Income - Giff	ts - Travel Payments - schedule attached
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⊠ Non	e - No reportable interests on any schedule	
5. Verification		
MAILING ADDRESS STREET	CITY	STATE ZIP CODE
(Business or Agranu Addance Recommended - Public Document) PO Box	San Francisco (CA 94119
DAYTIME TELL, NUMBER	E-MAIL ADDRESS (OPTIONAL)	OA 94119
(415)	@gmail.com	•
I have , diligence in preparing this herein and in any attached schedules is true and cor		est of my knowledge the information contained
	of the State of California that the foregoing is true	and correct.
Date Signed5/4/2012	Signature	
(month, day, year)	Signature(File the origina	lly signed statement with your filing official.)

STATEMENT OF ECONOMIC INTERESTS **COVER PAGE**

Date Received

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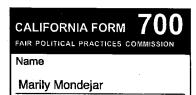
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San Francisco Redistric	ting Task Force			i ika
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Schedule A-1 - Investmen	Is - schedule attached	Schedule C	: - Income, Loans, & Busine	ss Positions - schedule attached
Schedule A-2 - Investmen	ts - schedule attached		- Income - Gifts - schedul	
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	REET ended - Public Document)	CITY	STATE	ZIP CODE
PO Box DAYTIME JER		San Francisco	CA	94119
(415)			gmail.com	
I have use: dilig herein and in any attached sch	ence in preparing this statement. I ledules is true and complete. I ac	hare removed and success	ent and to the best of my kno	owledge the information contained
I certify under penalty of per	jury under the laws of the State	of California that the fore	egoing strue and correct.	
Date Signed	1/2/12 onlif, day, year)	Signature	File the originally signed statement	ept with your filing official.)

SCHEDULE C Income, Loans, & Business Positions (Other than Gifts and Travel Payments)

CALIFORNIA FORM)
FAIR POLITICAL PRACTICES CO	OMMISSION
Name	
Marily Mondejar	

▶ 1. INCOME RECEIVED	► 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME	NAME OF SOURCE OF INCOME
Filipina Women's Network	
ADDRESS (Business Address Acceptable)	ADDRESS (Business Address Acceptable)
PO Box 192143, San Francisco, CA 94119	
BUSINESS ACTIVITY, IF ANY, OF SOURCE	BUSINESS ACTIVITY, IF ANY, OF SOURCE
non-profit organization	
YOUR BUSINESS POSITION	YOUR BUSINESS POSITION
Executive Director /President	
GROSS INCOME RECEIVED	GROSS INCOME RECEIVED
☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000	\$500 - \$1,000 \$1,001 - \$10,000
▼ \$10,001 - \$100,000	\$10,001 - \$100,000 OVER \$100,000
CONSIDERATION FOR WHICH INCOME WAS RECEIVED	CONSIDERATION FOR WHICH INCOME WAS RECEIVED
Salary Spouse's or registered domestic partner's income	Salary Spouse's or registered domestic partner's income
Loan repayment Partnership	☐ Loan repayment ☐ Partnership
Sale of	Sale of(Real property, car, boat, etc.)
	II. <u>_</u>
Commission or Rental income, list each source of \$10,000 or more	Commission or Rental Income, list each source of \$10,000 or more
Other(Describe)	Other(Describe)
▶ 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PE	RIOD
retail installment or credit card transaction, made in the	lending institutions, or any indebtedness created as part of a ne lender's regular course of business on terms available to status. Personal loans and loans received not in a lender's ws:
NAME OF LENDER*	INTEREST RATE TERM (Months/Years)
	% None
ADDRESS (Business Address Acceptable)	
	SECURITY FOR LOAN
BUSINESS ACTIVITY, IF ANY, OF LENDER	☐ None ☐ Personal residence
	Real PropertyStreet address
HIGHEST BALANCE DURING REPORTING PERIOD	
\$500 - \$1,000	City
\$1,001 - \$10,000	Guarantor
\$10,001 - \$100,000	
OVER \$100,000	Other
	(Describe)
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SCHEDULE D Income - Gifts



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AT&T Park			•		
BUSINESS ACTIVIT	Y, IF ANY, OF SOU	RCE	BUSINESS ACTIVIT	Y, IF ANY, OF SO	DURCE
sports franchi	se				
DATE (mm/dd/yy)		DESCRIPTION OF GIFT(S)	DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
09 / 13 / 11	\$ 200.00	game tickets		\$	<u> </u>
	\$			\$	
	\$	·		\$	
NAME OF SOURCE	Ē ·		► NAME OF SOURCE	=====================================	
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88 S 3rd Stree	et, San Jose C	A 95113	. `		
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airline compa	ny				
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CALIFORNIA FORM 700 FAIR POLITICAL PRACTICES COMMISSION A PUBLIC DOCUMENT

STATEMENT OF ECONOMIC INTERESTS COVER PAGE

Date Received Other Use On I

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1.	Office, Agency, or Court			
	Agency Name			
	San Francisco Redistricting Task Force			
	Division, Board, Department, District, if applicable	Your Posi	tion	1 = 8
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	Agency:	Position:		F . 61
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2.	Jurisdiction of Office (Check at least one box)			یں \
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	Schedule A-1 - Investments - schedule attached	<i>~</i>	Income, Loans, & Busines	
	☐ Schedule A-2 - Investments — schedule attached		· Income – Gifts – schedule	
	☐ Schedule B - Real Property – schedule attached		Income - Gifts - Travel P	
		-or-		
	☐ None - No	o reportable interests on any sched	ule	••
5	Verification			
٠.	MAILING ADDRESS STREET	CITY	STATE	ZIP CODE
	(Business or Agency Address Recommended - Public Document)			
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	(415)		mail.com	•
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SCHEDULE C Income, Loans, & Business **Positions** (Other than Gifts and Travel Payments)

CALIFORNIA FORM 700 FAIR POLITICAL PRACTICES COMMISSION
Name
Marily Mondejar

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[Successor Agency to the Former Redevelopment Agency]

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Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco;" 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal

Mayor Lee; Supervisors Kim, Cohen, and Olague BOARD OF SUPERVISORS

counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

NOTE:

Additions are <u>single-underline italics Times New Roman;</u> deletions are <u>strike through italics Times New Roman</u>. Board amendment additions are <u>double-underlined;</u> Board amendment deletions are <u>strikethrough normal</u>.

Be it ordained by the People of the City and County of San Francisco: Section 1. General Findings.

- (a) In accordance with the California Community Redevelopment Law, California Health and Safety Code section 33000 et. seq., the City and County of San Francisco (the "City") created the Redevelopment Agency of the City and County of San Francisco (the "Redevelopment Agency") and approved redevelopment plans to alleviate blight in various parts of the City. For more than 60 years, the Redevelopment Agency was engaged in state-authorized activities to implement those plans.
- (b) The Redevelopment Agency played a critical role in alleviating physical and economic blight in disadvantaged neighborhoods in San Francisco, by attracting private investment and leveraging public resources to increase the City's supply of affordable housing, improve public facilities and infrastructure, create jobs and expand the local economy.
- (c) Under Assembly Bill No. 1X 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) ("AB 26") and the California Supreme Court's decision in <u>California Redevelopment Association v. Matosantos. No. S194861</u>, all redevelopment agencies in the State, including the Redevelopment Agency, were dissolved by operation of law as of February 1, 2012. Their affordable housing assets and functions were transferred to certain designated successor

housing agencies, and their non-affordable housing assets and obligations were transferred to certain designated successor agencies, which AB 26 charged with satisfying enforceable obligations of the former redevelopment agencies, preserving their assets for the benefit of taxing entities and winding up their affairs, under the supervision of a new oversight board and review by the State Department of Finance and State Controller.

- (d) AB 26 defined the term "successor agency" as "the county, city, or city and county that authorized the creation of each redevelopment agency...." Accordingly, in San Francisco, the City, as the sponsoring community, was designated as the successor agency to receive the non-affordable housing assets of the former Redevelopment Agency (the "Successor Agency").
- (e) AB 26 required the Successor Agency to establish separate funds to receive the revenues and pay the obligations of the former Redevelopment Agency and insulated the City from General Fund liability associated with the dissolution of the Redevelopment Agency and transfer of its assets and obligations by providing that the liability of Successor Agency acting under the powers granted under AB 26 is limited to the total sum of the property tax revenues (former tax increment) the Successor Agency receives under AB 26 and the value of the Redevelopment Agency's assets transferred to the Successor Agency.
- (f) As required by AB 26, the City timely established the seven-member oversight board of the Successor Agency (the "Oversight Board"). The Mayor appointed, and the Board confirmed, four members to the Oversight Board. The Bay Area Rapid Transit District, the Chancellor of the California Community Colleges, and the County Superintendent of Education, each appointed one of the remaining three members of the Oversight Board. In exercising its authority under AB 26, the Oversight Board owes a fiduciary duty to the holders of enforceable obligations and the taxing entities.

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- (g) To provide for the smooth transition of assets and functions to the Successor Agency and help enable the Successor Agency to perform all enforceable obligations of the former Redevelopment Agency under AB 26, the City adopted Board of Supervisors Resolution No 11-12, which, among other things, approved the City's acceptance of the transfer of affordable housing rights, assets and functions and authorized the Mayor's Office of Housing to manage those rights, assets and functions; acknowledged and accepted the transfer of non-affordable housing rights, assets and functions and placed them under the jurisdiction of the Port of San Francisco or the Director of the Department of Administrative Services; and delegated to the Oversight Board certain implementation authority in place of the former commission of the dissolved Redevelopment Agency over three major integrated, multi-phase revitalization projects, which are- the Mission Bay North and Mission Bay South Projects, the Hunters Point Shipyard/Candlestick Point Project, and the Transbay Transit Center Project (collectively, the "Major Approved Development Projects") and which are subject to enforceable obligations requiring the implementation and completion of those projects.
- (h) As to the affordable housing rights, assets, and functions, certain obligations and revenues of the former Redevelopment Agency were included in the transfer of such rights, assets and functions to the City, but the successor agency retained enforceable obligations for the development of affordable housing required to fulfill the Major Approved Development Projects and the replacement housing obligation associated with the former Redevelopment Agency's destruction of 6700 affordable units in the 1960's and early 1970's (See California Health & Safety Code Sections 33333.7 and 33333.8, Oversight Board Resolution No. 5-2012 (April 10, 2012), and Board Ordinances No. 256-09 (Dec. 30, 2009), No. 316-08 (Dec. 19, 2008) and No. 15-05 (Jan. 21, 2005)) (collectively, the "Retained Replacement Housing Obligations").

(i) This ordinance acknowledges that the authority over Major Approved Development Projects delegated to the Oversight Board by Board of Supervisors Resolution No. 11-12 and the transfer of authority to City departments over non-affordable housing assets have been superseded by the recently adopted budget trailer bill, Assembly Bill No. 1484 (Chapter 26, Statutes of 2011-12, Regular Session) ('AB 1484"), and are no longer in effect. Such previously depelegated authority includes, without limitation, (i) granting approvals under the Land Use Controls (as defined in Board Resolution No. 11-12), (ii) approving changes to, amending, or fulfilling the terms of enforceable obligations, and (iii) exercising the authority previously exercisable by the Redevelopment Agency Commission. Non-affordable housing assets include, without limitation, all rights, interests, privileges, property—real, personal and intangible, including all loans and grants, all property, such as land, buildings, and dwelling units held by the Agency, the rights to all disposition and development agreements, owner participation agreements or other agreements that comprise enforceable obligations.

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-(j) As required by AB 26, on March 6, 2012, by Resolution No. 3-2012, the Oversight Board approved the transfer of affordable housing assets of the former Redevelopment Agency to the City, under the administrative jurisdiction of the Mayor's Office of Housing. On March 9, 2012, the Successor Agency submitted Resolution No. 3-2012 to the Department of Finance, which did not object to the resolution. In addition, on April 10, 2012, the Oversight Board approved, by Resolution No. 5-2012, a Recognized Obligation Payment Schedule ("ROPS") for the period January 1, 2012 to June 30, 2012, and a housing obligation summary identifying the Retained Housing Obligations. Resolution 5-2012 was submitted to Department of Finance, which did not object to the resolution. In addition, as As required under AB 1484 (Cal. Health & Safety Code Section 34176 (a) (2)), on August 1, 2012, the Mayor's Office of Housing submitted a Housing Asset List containing a list of all housing assets of the former Redevelopment Agency to the Department of Finance, which has not

September 7, 2012. The term "Housing Assets" as used in this Ordinance means the assets transferred to the City and placed under the jurisdiction of the Mayor's Office of Housing under the Redevelopment Dissolution Law and by Board of Supervisors Resolution No. 11-12, as approved by Oversight Board Resolution No. 3-2012, and approved on included in the Housing Asset List as approved by the Department of Finance. Accordingly, under Under AB 26, AB 1484, and Resolution No. 11-12, such affordable housing assets Housing Assets are now held by the City, acting through the Mayor's Office of Housing, and are no longer under the jurisdiction of the Successor Agency (except for Oversight Board approval of the use of former tax increment under AB 26, as amended by AB 1484), nor is title to such assets affected by AB 1484's provisions regarding the legal status of the Successor Agency. Such affordable housing assets Housing Assets are outside the scope of the delegated authority under this ordinance, unless they are subject to the Retained Housing Obligations.

- (k) Both the Redevelopment Agency and the Oversight Board have previously retained the City Attorney for certain legal advice and representation under memoranda of understanding that those parties negotiated and approved.
- (I) Under AB 26, the Successor Agency became the employer of all employees of the former Redevelopment Agency on the date of its dissolution. The City, in its capacity as Successor Agency, assigned "R" classifications to employees of the former Redevelopment Agency, indicating their status as having become employees of the Successor Agency by operation of law under AB 26. The City, in such capacity as Successor Agency, negotiated amendments to memoranda of agreement with the unions representing employees of the former Redevelopment Agency ("MOAs"), which were approved by the City under Board of Supervisors Ordinance Nos. 120-12, 121-12, 122-12 and 123-12. Those MOAs have an expiration date of June 30, 2012.

- (m) AB 26 requires successor agencies to submit to the State's Department of Finance a Recognized Obligation Payment Schedule ("ROPS") for each six-month period, which is approved by oversight boards, and which identifies the sources of payment for enforceable obligations. The City, as Successor Agency, timely submitted to the Department of Finance the ROPS, approved by the Oversight Board, for the periods January 1, 2012 to June 30, 2012 (Oversight Board Resolution No. 5-2012) and July 1, 2012 to December 31, 2012 (Oversight Board Resolution No. 6-2012). The Department of Finance approved each ROPS, including the funds identified in each for, among other things, long term affordable housing obligations and pension and benefit obligations to current and retired employees of the former Redevelopment Agency.
- (n) In June 2012, the California Legislature adopted legislation amending AB 26 as a trailer bill to the State's budget bill for the 2012-2013 fiscal year, AB 1484, and the Governor signed that bill on June 27, 2012. The State maintains that under Proposition 25 (November 2010), AB 1484 went into effect upon the Governor's signature. While AB 26 defined the successor agency to be the sponsoring community (as described above), AB 1484 changes that definition of successor agency and now provides:
 - (1) the successor agency is a separate public entity from the public agency that provides for its governance and the two entities shall not merge;
 - (2) the liabilities of the former redevelopment agency shall not be transferred to the sponsoring entity and the (non-housing) assets shall not become assets of the sponsoring entity;
 - (3) the successor agency has its own name and the capacity to sue and be sued;
 - (4) the successor agency shall be substituted for the redevelopment agency in all litigation to which a redevelopment agency is a party:

- (5) the former redevelopment agency employees shall not automatically become employees of the sponsoring entity and the successor agency shall retain its own collective bargaining status;
- (6) the successor agency succeeds to the organizational status of the former redevelopment agency but without any legal authority to participate in redevelopment activities except to complete the work related to an approved enforceable obligation; and
- (7) the successor agency is a local entity for purposes of the Ralph M. Brown Act.
- (o) AB 1484 does not specify what the governing body of the Successor Agency is or how it must take actions (other than to provide that it is subject to the State's public meeting rules).
- (p) By operation of law, in San Francisco the Successor Agency is now distinct from the City but is still subject to the governance of the City acting through its legislative capacity.
- (q) Since the dissolution of the Redevelopment Agency on February 1, 2012, the City has been successful in helping restore investor confidence in the surviving redevelopment projects, including the Major Approved Development Projects, so that the City can achieve its goals of increasing the supply of affordable housing, improving public facilities and infrastructure, creating jobs, expanding the local economy and realizing other public benefits, and the City, acting in its capacity as Successor Agency, has made all required payments and otherwise performed enforceable obligations, including payments due on outstanding tax allocation bonds, and the Successor Agency has not been adversely affected by the potential cash flow issues that some of the bond rating agencies have identified as issues under AB 26.
- (r) This ordinance is consistent with the City's policies and objectives expressed in Resolution No. 11-12: (1) smooth transition of assets and functions to the Successor Agency;

(s) This ordinance, by establishing a Successor Agency Commission and delegating certain authority to that commission, is intended to be consistent with the provisions of AB 1484 that the Successor Agency succeed to the organizational status of the former redevelopment agency but without legal authority to participate in redevelopment activities other than to complete work related to enforceable obligations.

Section 2. Environmental Findings.

Adoption of this ordinance is not a "project" within the meaning of Public Resources

Code Section 21065 of the California Environmental Quality Act ("CEQA") and Section 15378

of the CEQA Guidelines because this ordinance addresses organizational and administrative

matters that will not result in direct or indirect physical changes in the environment. This

ordinance provides for the continuance of existing governmental organization, administrative

activities and operations and creation of a new commission for that organization, does not

authorize the encumbrance or use of any new funds on any specific projects that could result
in physical changes to the environment, and will not result in changes in conditions in any

redevelopment project or survey area, as provided in the letters from the Planning Department
on file with the Clerk of the Board of Supervisors in File No.

120898 which is

hereby declared to be a part of this ordinance as if set forth fully herein.

Section 3. Separate Legal Entity. This ordinance acknowledges and confirms that as of AB 1484's effective date, the Successor Agency is a separate legal entity from the City and is subject to the governance of the City acting in its legislative capacity. Accordingly, the Board of Supervisors, as the legislative body of the Successor Agency, adopts this ordinance under the provisions of City Charter relating to the adoption of ordinances. This ordinance further acknowledges and confirms that the Successor Agency holds, subject to the applicable

rights and restrictions set forth in the Redevelopment Dissolution Law, title to all assets,
including, without limitation, all real property, and all rights, obligations and liabilities of the
former Redevelopment Agency, including the <u>Retained_Replacement-Housing Obligations</u> and
excluding the Housing Assets ose housing assets to which the Department of Finance has not
objected on the Housing Asset List submitted by the Mayor's Office of Housing under-Section
34176 (a)(2) of the California Health & Safety Code. As used in this ordinance.
"Redevelopment Dissolution Law" shall mean AB 26 as amended by AB 1484, and as it may
be further amended from time to time. The Board of Supervisors of the City shall have final
budget approval authority over the Successor Agency in its annual budget process in
accordance with California Health and Safety Code Section 33606, subject to the
Redevelopment Dissolution Law.

Section 4. Name of Successor Agency. This ordinance declares that the name of the Successor Agency is the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco."

Section 5. Employee Status. This ordinance acknowledges that under AB 1484, those employees of the former Redevelopment Agency who became employees of the City as Successor Agency by operation of law under AB 26, and who continued to be employed by the City as Successor Agency in an "R" classification as of June 27, 2012, on that date continued to be employees of the Successor Agency only, which is now a separate legal entity distinct from the City under AB 1484.

Section 6. Successor Agency Commission.

(a) This ordinance establishes the Successor Agency Commission (the "Commission"). This ordinance delegates to the Commission the authority (excluding authority as to the affordable housing assets Housing Assets that were transferred to the City under ABX1 26 and placed under the jurisdiction of the Mayor's Office of Housing under Board of Supervisors

Resolution 11-12 and that the Department of Finance has not objected to in its review of the Housing Asset List under AB-1484) to: (1) act in place of the former commission of the dissolved Redevelopment Agency to implement, modify, enforce and complete the surviving redevelopment projects, including, without limitation, the Major Approved Development Projects, the Retained Replacement Housing Obligations, and all other enforceable obligations, except for those enforceable obligations for affordable housing transferred to the City and placed under the jurisdiction of the Mayor's Office of Housing: provided. however. that the Successor Agency Commission shall not modify the Major Approved Development Projects or the Retained Housing Obligations in any manner that would decrease the commitment of property tax revenue for affordable housing or materially change the obligations to provide affordable housing without obtaining the approval of the Board of Supervisors and any required approval of the Oversight Board; (2) approve all contracts and actions related to the assets transferred to or retained by the Successor Agency, including, without limitation, the authority to exercise land use, development and design approval authority for the Major Approved Development Projects and other surviving redevelopment projects, and the approval of amendments to redevelopment plans as allowed under the Redevelopment Dissolution Law and subject to adoption of such plan amendments by the Board of Supervisors and any required approval by the Oversight Board, consistent with applicable enforceable obligations; and (3) take any action that the Redevelopment Dissolution Law requires or authorizes on behalf of the Successor Agency and any other action that the Commission deems appropriate consistent with the Redevelopment Dissolution Law to comply with such obligations, including, without limitation, preparing and submitting to the Oversight Board each ROPS to the Oversight Board, which shall include, among other things, the long term affordable housing obligations described in Oversight Board Resolution No. 5-2012, authorizing additional obligations in furtherance of enforceable obligations, and

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approving the issuance- of bonds to carry out the enforceable obligations, subject to any approval of the Oversight Board as may be required under the Redevelopment Dissolution Law.

- (b) The Commission shall consist of five members appointed by the Mayor, subject to confirmation by a majority of this Board of Supervisors. The member appointed to Seat 1 shall be a resident of the supervisorial district that includes the largest amount of cumulative area of the Major Approved Development Projects. The member appointed to Seat 2 shall be a resident of the supervisorial district that includes the second largest amount of cumulative area of the Major Approved Development Projects. The members appointed to Seats 3, 4 and 5 need not reside in any specific supervisorial district. Each of the members shall serve for a term of four years, subject to the provisions of subsection (d) below regarding initial terms. Members of the Commission shall serve at the pleasure of the Mayor and without compensation or reimbursement for expenses. Members of the Commission are protected by the immunities applicable to public entities and public officers and employees governed by Part I (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the California Government Code.
- (c) Each member of the Commission shall be a resident of the City and County of San Francisco.
- (d) To provide for staggered terms, the members appointed to Seats 2 and 4 shall serve for an initial term of two years from the effective date of this ordinance 2012. The remaining three members appointed to Seats 1, 3, and 5 shall serve for an initial term of four years from the effective date of this ordinance , 2012, and thereafter the terms of all members shall be four years.

(e) The Commission shall approve matters by the affirmative vote of the majority of the members present, so long as the members present constitute a quorum (three or more).

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- (f) The Commission shall appoint an Executive Director who shall be the chief executive of the Successor Agency and who shall have the responsibility for the day-to-day management of all the affairs and activities of the Successor Agency. -The Commission shall fix the salary of the Executive Director. The Executive Director shall serve at the pleasure of the Commission. The Executive Director shall possess the administrative and executive skills necessary to perform the duties of the office. The Commission may delegate to the Executive Director any of its duties it deems appropriate.
- (g) The Executive Director shall follow the Commission's policy directions on all matters concerning collective bargaining, meeting and conferring with the recognized representatives for employees, and the adoption of local rules under the Meyer-Milias-Brown Act. No collective bargaining agreement shall be binding on the Successor Agency unless approved by the Commission.
- Section 7. City Attorney as Legal Counsel. This ordinance authorizes the Successor Agency to retain, as it deems appropriate, the City Attorney for legal advice and representation.

Section 8. Ratification. This ordinance ratifies and approves all former acts of the Oversight Board, staff of the Successor Agency, the Department of Administrative Services, the Controller and other City employees and officials regarding implementation of the surviving redevelopment projects, other enforceable obligations, and other work in furtherance of the Successor Agency's obligations under the Redevelopment Dissolution Law.

Section 9. Additional Acts. This ordinance directs the Commission to take all steps that are appropriate to effectuate the purpose of this ordinance consistent with the Redevelopment Dissolution Law. In addition, this ordinance directs the Successor Agency to

Agency, within 120 days of the effective date of this ordinance, with a framework to which the Successor Agency and the Mayor's Office of Housing have agreed for fulfilling their respective responsibilities for the implementation plan for the funding and approval of affordable housing projects required under the Major Approved Development Projects and the Retained Housing Obligations. The Successor Agency may report to this Board either in writing or at a public meeting of this Board.

Section 10. Effective Date. This ordinance shall become effective 30 days from the date of passage.

APPROVED AS TO FORM: DENNIS J. HERRERA, City Attorney

By:

Robert A. Bryan Deputy City Attorney



City and County of San Francisco Tails Ordinance

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

File Number:

120898

Date Passed: October 02, 2012

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by: 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco;" 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

September 25, 2012 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE **BEARING NEW TITLE**

September 25, 2012 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and

Wiener

Noes: 1 - Campos

October 02, 2012 Board of Supervisors - FINALLY PASSED

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener

Noes: 1 - Campos Excused: 1 - Farrell TO BUILD AND COME REPORTED THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 10/2/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

10 14 2012

Date Approved